

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JESSE LASLOVICH**, on April 3, 2007 at 8:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Jesse Laslovich, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Gary L. Perry (R)

Members Excused:

Sen. Jim Shockley (R)
Sen. David E. Wanzenried (D)
Sen. Carol Williams (D)

Members Absent: None.

Staff Present: Carol Andersen, Committee Secretary
Valencia Lane, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HJ 25, 3/30/2007; HJ 43, 3/30/2007;
HB 281, 3/30/2007; HJ 38,
3/30/2007; HB 610, 3/30/2007
Executive Action: None.

HEARING ON HJ 25

Opening Statement by Sponsor:

00:01:52 REP. DIANE RICE (R), HD 71, opened the hearing on HJ 25, Oppose security and prosperity partnership of North America.

[EXHIBIT\(jus71a01\)](#)

[EXHIBIT\(jus71a02\)](#)

Proponents:

00:05:30 Rep. Rick Jore

00:07:22 George Detweiler

00:13:59 Pat Torgerson, Women Involved in Farm Economics

00:15:33 Sen. Aubyn Curtiss

00:18:59 Don Judge, Teamsters Local 190

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:20:53 Sen. Perry to Rep. Rice

00:23:20 Sen. Curtiss to George Detweiler

00:24:48 Sen. Laslovich to Rep. Rice

Closing by Sponsor:

00:25:57 Rep. Rice

HEARING ON HJ 43

Opening Statement by Sponsor:

00:31:03 REP. DIANE RICE (R), HD 71, opened the hearing on HJ 43, Study aspects of judicial branch of state government.

Proponents:

00:33:06 Dory Ritrovato

00:41:40 Dan Shea, Former Member of Montana Supreme Court

01:00:19 Joe Nascimento

Opponents:

01:01:31 Joy Bruck, American Association of Retired Persons
(AARP)

Informational Testimony: None.

Questions from Committee Members and Responses:

01:03:00 Sen. O'Neil to Rep. Rice

Closing by Sponsor:

01:04:24 Rep. Rice

HEARING ON HB 281

Opening Statement by Sponsor:

01:05:25 REP. TOM MCGILLVRAY (R), HD 50, opened the hearing on
HB 281, Revise election laws.

[EXHIBIT\(jus71a03\)](#)

[EXHIBIT\(jus71a04\)](#)

[EXHIBIT\(jus71a05\)](#)

[EXHIBIT\(jus71a06\)](#)

Proponents:

01:13:09 Robert Throssell, Montana Association of Clerks and
Recorders (MACR)

01:17:46 Mary McMahon, Election Administrators

[EXHIBIT\(jus71a07\)](#)

01:21:44 Janice Hoppes, MACR, Pondera County

01:25:18 Victor Miller, Blaine County Clerk and Recorder

01:26:31 Cyndy Maxwell, Election Administrator, Big Horn County

01:28:52 Duane Winslow, MACR, Yellowstone County

01:34:53 Paula Jaconetty, Clerk and Recorder and Election Administrator, Teton County

01:35:51 Penny Lewis, Clerk and Recorder and Election Administrator, Richland County

01:36:36 Debra Mart, Election Administrator, Cascade County

01:38:57 Rina Moore, Election Administrator, Cascade County

01:40:05 Sheryl Wood, Montana Association of Counties

01:41:54 Marie Hatcher, Election Administrator, Clerk and Recorder, Deer Lodge County

01:42:23 Bonnie Ramey, Clerk and Recorder and Election Administrator, Jefferson County

01:42:43 Mark Simonich, Secretary of State's Office

01:46:44 Mike Fellows, MTLP

Opponents:

01:47:23 Anna Whiting-Sorrell, Governors Office

01:51:06 Rep. Joey Jayne

EXHIBIT(jus71a08)

01:54:02 Rep. Veronica Small-Eastman

01:58:15 Sen. Carol Juneau

EXHIBIT(jus71a09)

02:00:59 Jeanne Souvigney, Montana Conservation Voters

EXHIBIT(jus71a10)

02:05:28 Rita Blouke, League of Women Voters

02:07:03 Joy Bruck, AARP Montana

EXHIBIT(jus71a11)

02:08:22 Terry Kendrick, League of Women Voters
02:09:31 Jessica Rhoades, Montana Democratic Party
02:10:36 Denver Henderson, Associated Students of the University
of Montana (ASUM)
02:13:01 Erica Henderson, ASUM
02:15:00 Ricky Gregory, ASUM
02:16:09 Scott Martin, Montana State University
02:16:38 Keith Allen, International Brotherhood of Electrical
Workers #233
02:16:57 Beth Brenneman, Montana Advocacy Program
02:17:21 Jason Miller, AFL/CIO
02:17:36 Elizabeth Andrews, Montana Common Cause
02:18:03 Matt Leow, Montana Public Interest Research Group
(MontPIRG)
02:18:24 Don Judge, Teamsters Local 190

Informational Testimony:

Memo from Valencia Lane, LSD

EXHIBIT(jus71a12)

Questions from Committee Members and Responses: None.

Closing by Sponsor:

02:19:46 Rep. McGillvray
02:26:02 Break
02:34:39 Resume

HEARING ON HJ 38

Opening Statement by Sponsor:

02:34:58 REP. RICK JORE (C), HD 12, opened the hearing on HJ 38, Rescind all calls for convening a constitutional convention.

[EXHIBIT\(jus71a13\)](#)

[EXHIBIT\(jus71a14\)](#)

Proponents:

02:38:35 George Detweiler

[EXHIBIT\(jus71a15\)](#)

02:47:59 Sen. Aubyn Curtiss

02:49:14 Mike Fellows, Missoula (MTLP)

02:49:45 Clarence Getz

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

02:53:31 Sen. Laslovich to Rep. Jore

Closing by Sponsor:

02:56:31 Rep. Jore

HEARING ON HB 610

Opening Statement by Sponsor:

02:59:50 REP. JIM KEANE (D), HD 75, opened the hearing on HB 610, Revise laws relating to challenges to agency actions.

Proponents:

03:01:51 Steve Wade, Bull Mountain Development Council

03:08:18 Leo Berry, Great Northern Power Development
03:12:54 Arthur Clinch, Montana Coal Council
03:17:37 Debbie Shea, Montana Mining Association
03:18:57 Cary Hegreberg, Montana Contractors Association
03:21:41 John Bennion, Montana Chamber of Commerce
03:22:58 Dan Flynn, International Brotherhood of Electrical
Workers of Montana
03:23:23 Keith Allen, International Brotherhood of Electrical
Workers
03:23:52 William Duffield, Montana Association of Oil, Gas and
Coal Counties, Inc.
03:24:23 Don Allen, Western Environmental Trade Association

Opponents:

03:26:22 George Darrow

EXHIBIT(jus71a16)

EXHIBIT(jus71a17)

03:41:27 Kim Wilson, Helena Attorney

EXHIBIT(jus71a18)

03:45:01 Jeff Parker, Montana Environmental Information Center
03:48:11 Janet Ellis, Montana Audubon Society
03:50:41 Janice Schaberg, Montana Grass Action Groups (MGAG)
03:52:54 Carol Kinney
03:54:24 Sara Cobler, Montana Conservation Voters

Informational Testimony: None.

Questions from Committee Members and Responses:

03:55:25 Sen. Shockley to Steve Wade

04:02:27 Sen. Curtiss to Arthur Clinch

04:06:45 Sen. Curtiss to Leo Berry

Closing by Sponsor:

04:08:18 Rep. Keane

ADJOURNMENT

Adjournment: 12:20 P.M.

SEN. JESSE LASLOVICH, Chairman

CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

EXHIBIT ([jus71aad.pdf](#))